



Journal of the Senate

State of Indiana

114th General Assembly

Second Regular Session

Fourteenth Meeting Day

Thursday Morning

February 2, 2006

The Senate convened at 10:35 a.m., with the President of the Senate, Rebecca S. Skillman, in the Chair.

The Senate Reader was directed to read the previously read section of the District Court's Order in *Hinrichs v. Bosma*, as set out in full in the Senate Journal of January 9, 2006.

Silent prayer followed the reading.

The Pledge of Allegiance to the Flag was led by the President of the Senate.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Long
Becker	Lubbers
Bowser	Lutz
Bray	Meeks
Breaux	Merritt
Broden	Miller
Craycraft	Mishler
Delph	Mrvan
Dillon	Nugent
Drozda	Paul
Ford	Riegsecker
Gard	Rogers
Garton	Simpson
Harrison	Sipes
Heinold	Skinner
Hershman	Smith
Howard	Steele
Hume	Tallian
Jackman	Waltz
Kenley	Waterman
Kruse	Weatherwax
Lanane	Wyss
Landske	Young, M.
Lawson	Young, R.
Lewis	Zakas

Roll Call 134: present 50. The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 23

Senate Concurrent Resolution 23, introduced by Senator Breaux:

A CONCURRENT RESOLUTION urging all citizens to wear red in recognition of the threat that heart disease poses to women.

Whereas, Heart attack, stroke and other cardiovascular diseases claim the lives of more than half a million women each year, more than the next seven causes of death combined; and

Whereas, In Indiana, over 7,800 women died from heart disease in 2003; and

Whereas, One in four females in the United States have some form of cardiovascular disease; and

Whereas, 1 out of 3 women die from heart disease, stroke and other cardiovascular diseases; and

Whereas, February is designated as American Heart Month; and

Whereas, The American Heart Association's Go Red For Women is a nationwide movement celebrating the energy, passion and power we have as women to band together and wipe out heart disease: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. The Indiana General Assembly, in recognition of the importance of empowering women with the knowledge that heart disease is their number one health threat and with the hope that by increasing awareness of the risk factors thousands of lives can be saved each year, encourages all citizens to wear red in recognition of family, friends and neighbors who suffer from heart disease.

SECTION 2. The Secretary of the Senate shall forward a copy of this Resolution to the American Heart Association, Senior Advocacy Director Danielle L. Patterson.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Summers, Dickinson, and Mays.

SENATE MOTION

Madam President: I move that Senators Alting, Becker, Bowser, Bray, Broden, Craycraft, Delph, Dillon, Drozda, Ford, Gard, Garton, Harrison, Heinold, Hershman, Howard, Hume, Jackman, Kenley, Kruse, Lanane, Landske, Lawson, Lewis, Long, Lubbers, Lutz, Meeks, Merritt, Miller, Mishler, Mrvan, Nugent, Paul, Riegsecker, Rogers, Simpson, Sipes, Skinner, Smith, Steele, Tallian, Waltz, Waterman, Weatherwax, Wyss, M. Young, R. Young, and Zakas be added as coauthors of Senate Concurrent Resolution 23.

BREAUX

Motion prevailed.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1025 and 1029 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1172, 1173, 1176, 1190, 1203, 1212, 1214, 1220, and 1222 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1011, 1028, 1056, 1062, 1080, 1081, 1089, 1097, 1098, 1108, 1110, 1112, 1113, 1117, 1123, 1124, 1128, 1136, 1138, 1140, 1155, 1156, and 1158 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 28

Senate Concurrent Resolution 28, introduced by Senators Becker, Merritt, and Lewis:

A CONCURRENT RESOLUTION recognizing and honoring William Carson for his years of distinguished service to the building industry and to offer congratulations on his retirement.

Whereas, Since graduating from Franklin College in 1961, William Carson has enjoyed a long and successful career in the building industry;

Whereas, After 42 years of service, Mr. Carson retired as Chief Executive Officer of the Indiana Builders Association (IBA) on January 1, 2006;

Whereas, During his career, Mr. Carson helped to enact numerous unique state laws to foster affordable housing in Indiana while serving as the registered lobbyist for housing and as the Chairman of the Board of the Association to Build a Better Indiana (the political action committee of the Indiana Builders Association);

Whereas, Mr. Carson also contributed to building industry publications as the editor of The Indiana Bildor, Indiana's monthly trade newspaper, and the author of "Diary of a Mad Home Builder," "Diary of a Mad Remodeler," and "High Pitches and Other Tall Tales";

Whereas, In addition to his involvement in the building industry, Mr. Carson has also been active in his community. He has served as the Chairman of the Marion County Sheriff's Advisory Board and is also known as a godfather of St. Mary's Child Center; and

Whereas, Mr. Carson's contributions to his profession have been recognized with several awards including the Seldon Hale Award, the nation's highest lifetime achievement honor from the National Association of Home Builders, and the John C. Hart Presidential Award, Indiana's highest housing award. In addition, William Carson has received multiple Sagamore of the Wabash awards in recognition of his contributions to the State: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly hereby recognizes the outstanding career and the many community contributions of William Carson and honors him upon his retirement.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to William Carson.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Budak, Crouch, Borrer, and Klinker.

SENATE MOTION

Madam President: I move that Senators Alting, Bowser, Bray, Breaux, Broden, Craycraft, Delph, Dillon, Drozda, Ford, Gard, Garton, Harrison, Heinold, Hershman, Howard, Hume, Jackman, Kenley, Kruse, Lanane, Landske, Lawson, Long, Lubbers, Lutz, Meeks, Miller, Mishler, Mrvan, Nugent, Paul, Riegsecker, Rogers, Simpson, Sipes, Skinner, Smith, Steele, Tallian, Waltz, Waterman, Weatherwax, Wyss, M. Young, R. Young, and Zakas be added as coauthors of Senate Concurrent Resolution 28.

BECKER

Motion prevailed.

ENGROSSED SENATE BILLS
ON THIRD READING

Engrossed Senate Bill 1

Senator M. Young called up Engrossed Senate Bill 1 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 135: yeas 31, nays 19. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Buck.

Engrossed Senate Bill 24

Senator Jackman called up Engrossed Senate Bill 24 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 136: yeas 32, nays 18. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Messer, Bottorff, Cherry, and Kuzman.

12:31 p.m.

The Chair declared a recess until the fall of the gavel.

Recess

The Senate reconvened at 1:21 p.m., with the President of the Senate in the Chair.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 23 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 28 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 371.

LUTZ

Motion prevailed.

**ENGROSSED SENATE BILLS
ON THIRD READING****Engrossed Senate Bill 108**

Senator M. Young called up Engrossed Senate Bill 108 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 137: yeas 12, nays 38. The bill was declared defeated.

Engrossed Senate Bill 275

Senator Long called up Engrossed Senate Bill 275 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 138: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Foley and Kuzman.

Engrossed Senate Bill 277

Senator Rogers called up Engrossed Senate Bill 277 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 139: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives C. Brown, V. Smith, Ayres, and Stevenson.

Engrossed Senate Bill 284

Senator Wyss called up Engrossed Senate Bill 284 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 140: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives T. Brown and C. Brown.

Engrossed Senate Bill 299

Senator Long called up Engrossed Senate Bill 299 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 141: yeas 50, nays 0. The bill was declared passed. The

question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Ulmer and Kuzman.

Engrossed Senate Bill 301

Senator Ford called up Engrossed Senate Bill 301 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 142: yeas 21, nays 29. The bill was declared defeated.

Engrossed Senate Bill 303

Senator Kruse called up Engrossed Senate Bill 303 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 143: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Duncan, Davis, and Goodin.

Engrossed Senate Bill 305

Senator Rogers called up Engrossed Senate Bill 305 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 144: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Hinkle and Klinker.

Engrossed Senate Bill 308

Senator Simpson called up Engrossed Senate Bill 308 for third reading:

A BILL FOR AN ACT concerning Medicaid.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 145: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House

sponsors: Representatives T. Brown, Welch, and Tyler.

Engrossed Senate Bill 314

Senator Nugent called up Engrossed Senate Bill 314 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 146: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Friend, Gutwein, Hoffman, and Grubb.

Engrossed Senate Bill 324

Senator Drozda called up Engrossed Senate Bill 324 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 147: yeas 30, nays 19. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Noe and Behning.

Engrossed Senate Bill 332

Senator M. Young called up Engrossed Senate Bill 332 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 148: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Buell and Kromkowski.

Engrossed Senate Bill 333

Senator Dillon called up Engrossed Senate Bill 333 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 149: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act?

There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives T. Harris and Crooks.

Engrossed Senate Bill 338

Senator Merritt called up Engrossed Senate Bill 338 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 150: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Frizzell.

Engrossed Senate Bill 340

Senator Wyss called up Engrossed Senate Bill 340 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 151: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Berror and Pflum.

Engrossed Senate Bill 341

Senator Wyss called up Engrossed Senate Bill 341 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 152: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Buck and Porter.

Engrossed Senate Bill 345

Senator Meeks called up Engrossed Senate Bill 345 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 153: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Espich.

Engrossed Senate Bill 353

Senator Weatherwax called up Engrossed Senate Bill 353 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 154: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Gutwein, Friend, Grubb, and Dvorak.

Engrossed Senate Bill 363

Senator Ford called up Engrossed Senate Bill 363 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 155: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Thomas and Austin.

Engrossed Senate Bill 373

Senator Mishler called up Engrossed Senate Bill 373 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 156: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Foley and Summers.

Engrossed Senate Bill 374

Senator Mishler called up Engrossed Senate Bill 374 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 157: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives T. Brown, Duncan, Welch, and Summers.

Engrossed Senate Bill 382

Senator Becker called up Engrossed Senate Bill 382 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 158: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Crouch and Hoy.

Engrossed Senate Bill 384

Senator Paul called up Engrossed Senate Bill 384 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 159: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Saunders, Hoffman, and Pflum.

Engrossed Senate Bill 6

Senator Steele called up Engrossed Senate Bill 6 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 160: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Ulmer and Grubb.

Engrossed Senate Bill 17

Senator Zakas called up Engrossed Senate Bill 17 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 161: yeas 45, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Walorski and Ayres.

Engrossed Senate Bill 35

Senator Long called up Engrossed Senate Bill 35 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 162: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Wolkins and Moses.

Engrossed Senate Bill 55

Senator Harrison called up Engrossed Senate Bill 55 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 163: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Buell and Kromkowski.

Engrossed Senate Bill 86

Senator Jackman called up Engrossed Senate Bill 86 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 164: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Messer, Gutwein, and Robertson.

Engrossed Senate Bill 166

Senator Miller called up Engrossed Senate Bill 166 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 165: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives T. Brown and Austin.

Engrossed Senate Bill 229

Senator Lubbers called up Engrossed Senate Bill 229 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 166: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Turner.

Engrossed Senate Bill 270

Senator Miller called up Engrossed Senate Bill 270 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 167: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives T. Brown and C. Brown.

5:16 p.m.

The Chair declared a recess until the fall of the gavel.

Recess

The Senate reconvened at 5:31 p.m., with the President of the Senate in the Chair.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 339

Senator Merritt called up Engrossed Senate Bill 339 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 168: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Duncan, Davis, and Goodin.

Engrossed Senate Bill 342

Senator Riegsecker called up Engrossed Senate Bill 342 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 169: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Messer.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 349

Senator Waltz called up Engrossed Senate Bill 349 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance and to make an appropriation.

SENATE MOTION (Amendment 349–2)

Madam President: I move that Engrossed Senate Bill 349 be recommitted to a Committee of One, consisting of Senator Waltz, with specific instruction to amend said bill as follows:

Page 15, line 37, delete "Interest that".

Page 15, delete line 38.

Page 16, delete lines 9 through 25.

Page 16, line 26, delete "Sec. 34." and insert "**Sec. 33.**".

Page 17, line 16, delete "Sec. 35." and insert "**Sec. 34.**".

Page 17, line 18, delete "Sec. 36." and insert "**Sec. 35.**".

Page 17, line 39, delete "Sec. 37." and insert "**Sec. 36.**".

(Reference is to ESB 349 as printed January 30, 2006.)

WALTZ

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: Your Committee on Rules and Legislative Procedure, to which was referred the Motion to recommit Engrossed Senate Bill 349, to a Committee of One, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said Motion be adopted.

GARTON

Motion prevailed.

COMMITTEE REPORT

Madam President: Your Committee of One, to which was referred Engrossed Senate Bill 349, begs leave to report that said Bill has been amended as directed.

WALTZ

Report adopted.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 170: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Burton.

6:00 p.m.

The Chair declared a recess until the fall of the gavel.

Recess

The Senate reconvened at 6:23 p.m., with the President of the Senate in the Chair.

SENATE MOTION

Madam President: I move that Senator Bray be added as coauthor of Engrossed Senate Bill 353.

WEATHERWAX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Meeks be added as coauthor of Engrossed Senate Bill 17.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as coauthor of Engrossed Senate Bill 374.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Simpson be added as second author of Engrossed Senate Bill 35.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bowser be removed as coauthor of Engrossed Senate Bill 332.

BOWSER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bowser be added as second author and Senators Becker and Breaux be added as coauthors of Engrossed Senate Bill 332.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Craycraft be added as coauthor of Engrossed Senate Bill 332.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Landske and Paul be added as coauthors of Engrossed Senate Bill 314.

NUGENT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Lanane and Lawson be added as coauthors of Engrossed Senate Bill 308.

SIMPSON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Breaux and Sipes be added as coauthors of Engrossed Senate Bill 308.

SIMPSON

Motion prevailed.

**ENGROSSED SENATE BILLS
ON THIRD READING**

Engrossed Senate Bill 359

Senator Hershman called up Engrossed Senate Bill 359 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 171: yeas 47, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Messer and Reske.

Engrossed Senate Bill 360

Senator Ford called up Engrossed Senate Bill 360 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 172: yeas 48, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Espich, Noe, and Crawford.

Engrossed Senate Bill 361

Senator Ford called up Engrossed Senate Bill 361 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 173: yeas 28, nays 22. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Saunders, T. Harris, Turner, and Koch.

Engrossed Senate Bill 365

Senator Kenley called up Engrossed Senate Bill 365 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 174: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Buell, Espich, and Crawford.

Engrossed Senate Bill 369

Senator R. Young called up Engrossed Senate Bill 369 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its

passage. The question was, Shall the bill pass?

Roll Call 175: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Wolkins, Dvorak, and Thompson.

Engrossed Senate Bill 383

Senator Steele called up Engrossed Senate Bill 383 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 176: yeas 24, nays 25. The bill failed for lack of a constitutional majority.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1006, 1093, 1227, 1232, 1235, 1236, 1239, 1240, 1259, 1266, 1267, 1281, 1285, 1286, 1287, 1300, 1306, 1315, 1318, 1323, 1329, 1331, 1332, 1338, 1344, 1347, 1349, and 1367 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 29 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senators Miller and Lawson be added as coauthors of Engrossed Senate Bill 365.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Long be added as coauthor of Engrossed Senate Bill 365.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Weatherwax be added as cosponsor of Engrossed House Bill 1086.

HEINOLD

Motion prevailed.

February 2, 2006

Senate 339

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, February 6, 2006.

GARTON

Motion prevailed.

The Senate adjourned at 7:32 p.m.

MARY C. MENDEL
Secretary of the Senate

REBECCA S. SKILLMAN
President of the Senate